

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Gadwal (Mandal) Jammiched (Village) – O.P.No.91/93 s) - Sanction of decretal charges of **Rs.7,86,076/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO 190.

DATE: 09 03.2009

Read:

From the Special Collector, LA, Bheema Project, MBNR, Lr.No.B3/261
1996, dated:18.10.2007.

O R D E R:

The Special Collector, LA, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.91/93 pertaining to Jammiched (V) Gadwal (M) of Mahabubnagar District. The then SDC, LA, PJP, Gadwal has acquired the dry lands in Sy.No.150/2 etc for an extent of 8.00 gts of Jammiched (V) by fixing the market value @Rs.16,500/- per acre through Award No.16/92 dt:6.8.92 for submergence of PJP. Aggrieved with the market value awarded by the LAO the awardees have filed petitions U/s.18 (1) of L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Gadwal had delivered judgments enhancing the market value from Rs.16,500/- to Rs.45,000/- per acre. Aggrieved with the market value enhanced by the Lower Court, the SDC, PJP, Gadwal has filed appeal in the Hon'ble High Court of A.P, Hyderabad against the orders of the Lower Court. The Hon'ble H.C of A.P, Hyd has granted interim stay orders on condition to pay 50% of decretal amount. But no interim amount was sanctioned in this O.P.No.91/93. Finally, the Hon'ble H.C of A.P, Hyd has disposed the appeals filed by the SDC, Gadwal by reducing the market value from Rs.45,000/- to Rs.42,000/- per acre and confirmed the Lower Court decree in other respects in A.S.No.1410/96, dt:11.11.98.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.7,82,370/- (Rupees Seven lakhs eighty two thousand three hundred and seventy only)** in respect of O.P.No.91/93 pertaining to Jammiched (V) Gadwal (M) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) ante shall be debitable to following Head of Account under "4701- SMJH – 0 1- Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – SH (26) – Dams and Appurtenant works - 530 Major Works – 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.715/F2(2)/2009-1, dated 03.03.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector, LA, Bheema Project, Mahabubnagar.
The Engineer-in-Chief, I&CAD, Erramanzil, Hyderabad.
The SDC, LA, PJP, Gadwal, Mahabubnagar.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.32691/LA.III(A2)/2007
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER